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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,515	12/12/2003	Choong-Jae Lee	P-0601	9079
34610	7590	09/20/2006	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			DABNEY, PHYLESHA LARVINIA	
			ART UNIT	PAPER NUMBER
			2615	
DATE MAILED: 09/20/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/733,515

Applicant(s)

LEE, CHOONG-JAE

Examiner

Phylesha L. Dabney

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 1/25/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This action is in response to the application filed on 12 December 2003 in which claims 1-23 are pending.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 13-14 and 18-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to these claims, it is not clear where the first and second gaps are located in relation to the other structural limitations.

With respect to claim 14, it is not clear whether the limitations contained in parentheses are part of the claim. It is believed that the Applicant intended to editorially remove this limitation by using parentheses.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

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subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims **1-7, 10-16, 18-21, and 23** are rejected under 35 U.S.C. 102(e) as being anticipated by Makino et al (U.S. Publication No. 2004/0077385).

Regarding claims 1, 5-6, and 14-15, Makino teaches a folder type mobile terminal, comprising: an upper cover (22); a lower cover (21) attached to the upper cover and configured to receive a display module (4, 5) therein; and a display protecting member (6, 20) configured to be fitted at an inner surface of the lower cover and to cover an outer surface of the display module so as to protect the display module from an external force.

Regarding claim 2, Makino teaches the terminal of claim 1, wherein the display protecting member (figs. 5-7) is configured to surround a circumferential surface of the display module (4, 5).

Regarding claims 3 and 11, Makino teaches the terminal of claim 2, wherein the display protecting member (6, 20) comprises a lower portion (6, 20) and a supporting rib (63, 64) formed extended upwardly a predetermined height and width from the lower portion so as to cover the circumferential surface of the display module.

Regarding claims 4, 12, and 19, Makino teaches the terminal of claim 3, wherein a height of the supporting rib (63, 64) is greater than a height of the display module as substantially supported by figure 9.

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Regarding claims 7 and 16, Makino teaches the terminal of claim 1, wherein the display protecting member is formed of a metal material (paragraph 0025).

Regarding claim 10, Makino teaches a folder type mobile terminal, comprising: a folder portion, comprising a first cover (22) and a second cover (21), wherein the first cover and the second cover are configured to be attached so as to form a space therebetween; and a display protecting member (6, 20) configured to be installed in the space formed between the first cover and the second cover and to surround a display module (4, 5) installed therein so as to prevent contact between the display module and the folder.

Regarding claim 13, Makino teaches the terminal of claim 12, wherein a first gap is formed between an upper surface of the supporting rib and a lower surface of the first cover as substantially supported by figure 9.

Regarding claims 18 and 20-21, Makino teaches a display protecting mechanism for a mobile terminal, comprising: a lower portion (21); an open portion (24) formed in the lower portion and configured to receive a display module (4); a supporting rib (64) formed extended upwardly from the lower portion a predetermined height and width, and configured to cover a circumferential surface of the display module; a first gap (fig. 9) formed between an upper surface of the supporting rib and a lower surface of a cover of the mobile terminal; and a second gap (opposite side of frame 20 including subdisplay 5) formed between an upper surface of the display module and the lower surface of the cover of the mobile terminal.

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Regarding claim 23, see the rejection of claim 18.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-9, 17, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makino.

Regarding claims 8 and 22, Makino teaches the protective member being made of metal. Makino fails to teach the metal material being stainless steel.

However, the Examiner takes official notice that it is known to use stainless steel in electronics equipment for providing electromagnetic field shielding.

Therefore, it would have been obvious to one of ordinary skill in the art to use stainless steel in the invention of Makino for shielding.

Regarding claims 9 and 17, Makino teaches the terminal of claim 1, wherein the display module comprises at least a sub display (5) and a main display (4). Makino fails to teach at least one of the displays comprises a liquid crystal display (LCD) or any particular type.

However, the Examiner takes official notice that it is known to use a LCD screen in mobile terminals to display text and graphics.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use an LCD screen in the invention of Makino as a well known means of showing text and graphics to the user.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phylesha L. Dabney whose telephone number is 571-272-7494. The examiner can normally be reached on Mondays, Tuesdays, Wednesdays, Fridays 8:30-4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

**Any response to this action should be mailed to:**


Commissioner of Patents and Trademarks  
P O Box 1450  
Alexandria, VA 22313-1450

**Or faxed to:**

(703) 273-8300, for formal communications intended for entry and for informal or draft communications, please label "Proposed" or "Draft" when submitting an informal amendment.

**Hand-delivered responses should be brought to:**

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

  
**MELUR RAMAKRISHNAIAH**  
**PRIMARY EXAMINER**

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 15, 2006

  
PLD